

## **DEPARTMENT OF THE NAVY**

NAVAL SEA SYSTEMS COMMAND 1333 ISAAC HULL AVENUE WASHINGTON NAVY YARD DC 20376-2701

NREPLY REFER TO 4520 Ser 333/075 16 March 2011

Mr. Michael Strutt Director, Cultural Resources Program Texas Parks and Wildlife Department 4200 Smith School Road Austin, TX 78744-3291

Dear Mr. Strutt:

This letter acknowledges receipt of your 22 February 2011 letter providing formal notification of the intent of the Texas Parks and Wildlife Department (TPWD) to pursue development and construction of a permanent dry berth for ex-TEXAS (BB 35).

Although ex-TEXAS is owned by the State of Texas, the proposed TPWD dry-berthing project is considered a federal undertaking because: (1) P.L. 649 of the 79<sup>th</sup> Congress authorizing the transfer of the ship to the State of Texas stipulates that the State is required to maintain the vessel in a condition that is satisfactory to the Navy and; (2) the Battleship Texas Foundation received funding through a federal grant and has agreed to give TPWD the funding for use towards the proposed dry-berthing project.

Based on the formal notification provided, the Navy, as the lead Federal agency for this undertaking, will contact the Texas State Historic Preservation Officer (SHPO) to initiate Section 106 of the National Historic Preservation Act. We acknowledge that your agency is a consulting party for Section 106 consultation; therefore, we would like to partner with you and the SHPO to identify other potential consulting parties. As we progress through Section 106 consultation, we will post announcements and the status of this process on the Navy Inactive Ship Program's web site at http://www.navsea.navy.mil/teamships/Inactiveships/Inactiveships News.aspx.

We look forward to your cooperation during this process. My point of contact is Jim Poles, (202) 781-0149, james.poles.ctr@navy.mil.

Sincerely,

Glen Clark

Deputy Program Manager Navy Inactive Ships Program (PMS 333)